

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

NUR QADR,)	
)	
Plaintiff,)	
)	
vs.)	Civil Action No. 14-123E
)	Magistrate Judge Maureen P. Kelly
MR. MICHEAL OVERMYER)	
<i>SUPERINTENDENT</i> ; MR.)	
OBERLANDER <i>DEPUTY SUPT</i> ;)	
DEPUTY HORTON <i>DEPUTY FACILITY</i>)	
MR. DOMBROSKI <i>ACTING</i>)	
<i>CORRECTIONS CLASSIFICATION</i>)	
<i>PROGRAM MANAGER</i> ; MR. WILLIAM)	
COLE <i>CORRECTIONS CLASSIFICATION</i>)	
<i>PROGRAM MANAGER</i> ; MS. C.)	
KENNEDY <i>GRIEVANCE</i>)	
<i>COORDINATOR</i> ; MS. SEIGAL)	
<i>GRIEVANCE COORDINATOR</i> ; JOHN)	
DOE <i>FOOD SERVICE MANAGER</i> ; MR.)	
MCQUOWN <i>FACILITY CHAPLAIN</i>)	
<i>PROGRAM DIRECTOR</i> ; JOHN/JANE)	
DOE <i>CORRECTIONS HEALTHCARE</i>)	
<i>ADMINISTRATOR</i> ; MS. SMITH, RN)	
<i>INFECTIOUS NURSE</i> ; DOCTOR)	
HAVEWOOD <i>HEALTHCARE PROVIDER</i> ,)	
Defendants.)	

ORDER

Plaintiff submitted a Motion to Proceed In Forma Pauperis (the “IFP Motion”), ECF. No. 1, along with a civil rights Complaint on April 23, 2014. However, the IFP Motion was deficient. Accordingly, on May 12, 2014, the Court ordered Plaintiff to correct the deficiency and ordered that the Clerk close the case until the deficiency was corrected. ECF No. 2. The order was sent to Plaintiff at his address of record under the name of “Nur Qadr” and Inmate Number BC-8580. The envelope containing the Order was returned to the Court with a notation that the inmate name and inmate number did not correspond. On June 25, 2014, the Court resent

the Order under the name of “Jeffrey Pratt” and Inmate Number BC-8580. That envelope was not returned to the Court. Notwithstanding that Plaintiff never corrected the deficiency, and the case remains closed, on August 12, 2014, Plaintiff filed a “Mandatory Injunction.” ECF No. 4. On August 18, 2014, Plaintiff filed a Motion for Appointment of Counsel. ECF No. 5. Because the case is closed and Plaintiff never rectified the deficiency, no action will be taken on either the Mandatory Injunction or the Motion for Appointment of Counsel.

IT IS FURTHER ORDERED that the Plaintiff may reopen the case by paying the \$400.00 filing fee or submitting another motion to proceed in forma pauperis along with a certified copy of the inmate account statement for the preceding six (6) months and also an authorization form which is to be completed before returning to the Court. Plaintiff must do so by September 17, 2014 or the case will be dismissed with prejudice for failure to prosecute.

In accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rule 72.C.2 of the Local Rules of Court, the parties are allowed fourteen (14) days from the date of this Order to file an appeal to the District Judge which includes the basis for objection to this Order. Any appeal is to be submitted to the Clerk of Court, United States District Court, 700 Grant Street, Room 3110, Pittsburgh, PA 15219. Failure to file a timely appeal will constitute a waiver of any appellate rights.

BY THE COURT:

/s/Maureen P. Kelly

MAUREEN P. KELLY

UNITED STATES MAGISTRATE JUDGE

Enclosures: IFP Motion and Authorization form

cc: Nur Qadr
BC-8580
SCI Forest
P.O. Box 945

Marienville, PA 16239

Jeffrey Pratt

BC-8580

SCI Forest

P.O. Box 945

Marienville, PA 16239